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FILED

AT ALBUQUERQUE NM

JUN 16 1999

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CURTIS LEE WATSON

Petitioner,

ROBERT M. MARCH
CLERK

v.

No. CIV-99-0581 LH/LCS

UNITED STATES OF AMERICA,
DONALD DORSEY, WARDEN,

Respondents.

MEMORANDUM OPINION AND ORDER FOR TRANSFER

This matter is before the Court *sua sponte* for preliminary consideration of Petitioner's petition for writ of habeas corpus under 28 U.S.C. §§ 2254 and 2255. Rule 4 Governing Section 2254 Cases; Rule 4 Governing Section 2255 Cases. The petition attacks a criminal conviction entered against Petitioner by the District of Columbia Superior Court, although Petitioner is now incarcerated in New Mexico. Petitioner has previously filed a habeas corpus petition in the United States District Court for the District of Columbia. The Court of Appeals for the District of Columbia Circuit affirmed the dismissal of that petition for the reason that the district court did not have subject matter jurisdiction. It is assumed for purposes of this order that Petitioner has now exhausted his remedies in the superior and appellate courts of the District of Columbia. Because the United States District Court for the District of Columbia would provide the more convenient forum for adjudicating Petitioner's claims, *Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 499 n.15 (1973); and see *Dunn v. United States Parole Comm'n*, 818 F.2d 742, 744 (10th Cir. 1987) ("only in the most formal sense does [Respondent Dorsey] control whether [Petitioner] is released"), this proceeding should be transferred to the United States District Court for the District of Columbia.

IT IS THEREFORE ORDERED that the Clerk is directed to transfer this case to the United States District Court for the District of Columbia.


UNITED STATES DISTRICT JUDGE